

## Dublin San Ramon Services District Code

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### **3.20.110**      **Duty to connect – Recycled water.**

- A. Recycled water determined to be available pursuant to Section 13550 of the California Water Code shall be used for nonpotable irrigation uses within the District's water service area, wherever there is not an alternative higher or better use for the recycled water, its use is economically justified, financially and technically feasible, and consistent with legal requirements, preservation of public health, safety and welfare, and the environment.

Unless otherwise provided under subsection (C) of this section, all new development within the District's water service area shall use recycled water for appropriate landscape irrigation. Planning, design and construction in such new development shall incorporate recycled water facilities in conformity with the District's Standard Specifications and/or the Recycled Water Use Guidelines, as amended from time to time. Such recycled water facilities shall be connected to and use District recycled water services. The District's determination of appropriate landscape irrigation uses shall be based on standards and/or requirements for water of unrestricted use quality contained in Title 22 of the California Code of Regulations, as said provisions may from time to time be amended, and applicable requirements of the Department of Public Health for recycled water distribution operations. The District Engineer shall establish permitting, tracking, record keeping, monitoring, and inspection procedures for all water recycling.

- B. Compliance with the requirements of this section shall be a condition precedent to the District's provision of new potable water services within the District's water service area.
- C. New development within the District's water service area, which the District Engineer or his or her designee determines meets at least one of the following criteria, shall be exempt from the requirements of this section:
1. Residential development that will contain no landscape areas owned in common requiring irrigation.
  2. Development of single-family, detached residences for which no homeowners' or similar association or entity will have responsibility for irrigation system maintenance and operations.
  3. Development of single-family, detached residences for which a homeowners' or similar association or entity will have responsibility for irrigation and maintenance operations, but only for individual parcels corresponding to each single-family detached residence ownership.
  4. Development for which recycled water service is determined by the District Engineer or his or her designee not to be economical because of its distance from available or planned recycled water sources; and/or because irrigation demands within such development are very slight relative to overall water demands; and/or inadequate recycled water supply is available to serve the demand. Recycled water service that is not economical, as used herein, shall be determined by the District Engineer or his or her designee using such studies as he or she deems appropriate, and nothing in this section shall be construed to require that the District Engineer or his or her designee hold a hearing or take any

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evidence.

- D. Nothing in this section shall be construed to prohibit any customer from voluntarily applying for recycled water service. The District shall have the right to deny such application if the District Engineer or his or her designee determines that such recycled water service would not be economical because of its distance from available or planned recycled water sources; and/or because anticipated irrigation demands served through that connection would be very slight relative to overall water demands; and/or because inadequate recycled water supply is available to serve the demand. Recycled water service that is not economical, as used herein, shall be determined by the District Engineer or his or her designee using such studies as he or she deems appropriate, and nothing in this section shall be construed to require that the District Engineer or his or her designee hold a hearing or take any evidence.
- E. Procedures following determination.
1. Each applicant or customer shall be notified in writing of any determination made under subsection (C) of this section, and of the basis therefor. The notice, including any proposed conditions and time schedule for compliance, and, if applicable, a recycled water permit application shall be sent to the applicant or customer by certified mail. The determination shall be final if the applicant or customer does not file a written notice of appeal in compliance with subsection (E)(2) of this section within thirty (30) days after receipt of the notice of determination.
  2. The applicant or customer may file a written notice of appeal in accordance with DSRSDC 1.80.050, Procedures for appeal. Nothing in this section shall be construed to require that the Board hold a hearing or take any evidence. [Ord. 301, 2004; Ord. 327, 2010]